



## Teacher Preparation Time Guidance

March 4, 2021

[Executive Order 20-94](#) requires school districts and charter schools to use 30 minutes of instructional time per day to allow teacher preparation time for any teacher providing distance or hybrid instruction (whether as part of the school's model or because of the student option for distance learning), in addition to any preparation time which the teacher is entitled to by statute. This does not increase the length of the instructional day reported, rather directs how 30 minutes per day are used by teachers. Teachers are not expected to provide instruction during these 30 minutes. [Executive Order 20-95](#) clarifies that school districts and charter schools should implement this provision as soon as practicable, but no later than November 30, 2020.

***The use of instructional minutes for 30 minutes of additional preparation time will only exist as long as the Peacetime Emergency is in effect. Once the Peacetime Emergency ends, the statutory expectations for instructional minutes goes back into effect, and the additional 30 minutes of preparation time ends. At this point, the change in instructional minutes is a response to a need borne out of the pandemic, and will not continue beyond the pandemic.***

### Question and Answer

**1. To whom does this preparation time language apply?**

The preparation time applies to licensed pre-K through grade 12 teachers, voluntary prekindergarten (VPK) and School Readiness Plus – School Readiness, ECSE teachers, ECSE teachers, ABE teachers, and Family Education teachers who provide instruction either in a hybrid or distance learning model to their students.

For teachers or licensed staff listed above that do not have a collective bargaining agreement and are not covered by Minnesota Statutes 2019, 122A.50, districts and charters must add 30 minutes per day to the teacher preparation time in the school's teacher preparation time policy or, if a school does not have a policy, to the amount of time a teacher routinely has on their daily schedule for teacher preparation time during the student day.

**2. Can the additional 30 minutes of preparation time per day required by Executive Order 20-94 be covered by preparation time that a district or charter school has already given teachers that is above the statutory minimum or what has been collectively bargained for?**

Yes. If the district already has added 30 minutes or more of preparation time on top of the statutory requirements set forth in Minnesota Statutes section 122A.50 and what they have in their collective

bargaining agreement for the 2020-2021 school year, then that meets the 30-minute requirement under Executive Order 20-94.

**3. May districts and local bargaining units enter a written agreement that provides less than the 30 minutes of preparation time required under Executive Order 20-94?**

No. Any agreement must provide a minimum of an additional 30 minutes of preparation time.

**4. What must this additional 30 minutes of preparation time be provided for?**

School districts and charter schools must provide 30 minutes of additional time for teachers to prepare for students receiving instruction through distance learning, including those who have chosen distance learning in-lieu of in-person or hybrid learning, or hybrid learning. This additional preparation time does not need to be provided to teachers providing instruction to students solely learning in person.

**5. When do school districts and charter schools have to begin providing this additional 30 minutes of preparation time?**

The 30 minutes of additional preparation time must begin to be provided to educators no later than November 30, 2020. Executive Order 20-95 provided this clarification to paragraph 9 of Executive Order 20-94.

**6. Can the additional 30 minutes of preparation time per day be grouped together as a lump sum of preparation time or must the preparation time be provided as 30 minutes each day?**

The 30 minutes of preparation time per day may be provided daily or grouped together. This time is required to be preparation for instruction that is being provided through distance learning or hybrid learning. Given that models can change within a month, a district should not group the preparation time as one or two days a month. To truly be effective at enhancing the quality of instruction, we recommend that preparation time be grouped weekly or every other week at a maximum. If a school district can identify opportunities for additional preparation time without changing staff's daily schedules, then we recommend you do so.

**7. What type of schedules should school districts and charter schools implement to incorporate the additional 30 minutes of preparation time for educators while reducing the impact to student instructional time?**

School districts and charter schools must determine staffing in ways that work best for them. Preparation time must be provided during the student day and districts and charters are strongly encouraged to do so during asynchronous learning time. Additionally, if a school district can identify opportunities for additional preparation time without changing staff's daily schedules or impacting instructional time, then we recommend you do so. If this is not possible, then the language in the executive order allows a district or charter to supplant synchronous learning time for students with the additional preparation time and still count the preparation time as instructional minutes for the purposes of meeting minimum hours required under Minnesota Statutes 120A.41. Additionally, districts may assign paraprofessionals to provide the support described below and fulfill instructional time requirements:

**Paraprofessionals:** While a licensed teacher must remain responsible for primary instruction, design and implementation of lesson plans, and assessment of students, paraprofessionals and other non-licensed staff can provide the following support:

- Supervise and provide support to small groups of students (in both an in-person or hybrid model).
- Monitor and support students through distance learning through regular virtual one-on-one and small group check-ins with students.

**8. Do non-instructional staff need to be utilized during this additional preparation time?**

As stated in paragraph 13 of Executive Order 20-82, consistent with labor agreements districts and charter schools must utilize available staff who are able to work during the 2020-21 school year. This additional preparation time is counted as instructional time pursuant to Executive Order 20-94, which school districts and charter schools will receive funding for. Rather than sending students home early, schools should use paraprofessional expertise and experience to provide student support and other duties. MDE has provided [examples and best practices around these reassignments](#). Additionally, Executive Orders 20-94 and 20-95 are not intended to create additional compensation as a result of districts implementing the executive orders.

**9. How will the state pay for this additional preparation time?**

Paragraph 9 of Executive Order 20-94 is clear that the 30 minutes of additional preparation time must be counted as instructional time for the purposes of meeting minimum instructional hours. This means that districts and charters will not lose any state funding to provide this preparation time. Additionally, Executive Orders 20-94 and 20-95 are not intended to create additional compensation as a result of districts implementing the executive orders. In programs like school readiness and early childhood family education where there aren't specified instructional hours, districts should review preparation hours for these teaching positions to ensure equivalent preparation time as teachers in programs with instructional hour requirements.

**10. If a student is quarantined for two weeks and learning remotely along with the in-person students, does the teacher providing this instruction receive the 30 minutes of additional preparation time?**

If a teacher is temporarily providing instruction to a student or students in quarantine who are learning remotely and the teacher is not creating additional modules, activities, and other tasks for the student to complete, that student is not considered to be in distance learning for the purpose of Executive Order 20-94 and additional preparation time would not be required. However, if a teacher is creating additional modules and activities for a quarantined student or students, then the additional preparation time is necessary.

**11. How should districts and charters explain the additional preparation time to families?**

All avenues should be exhausted to both protect and improve the instructional time students are receiving in the unprecedented time of teaching amidst a global pandemic. This could include scheduling the preparation time during times when students are expected to complete asynchronous work and are

not having synchronous interaction with their teacher. Reducing instructional time should be the last resort.

The additional preparation time is intended to increase the quality of instruction being provided through hybrid and distance learning. Teaching in a hybrid or distance learning model takes an extraordinary amount of time and creativity, and teachers are trying to balance health and safety with family schedules, community expectations, expected state standards, access to wrap-around services like school counselors and nurses, and learning the latest technology to connect with students and families. All of this takes an extraordinary amount of preparation time without the convenience of working alongside each other and in-person with students.

MDE will create a communication that can be shared with parents, caregivers, and/or guardians to help explain the possible shift in instructional time and the great need for additional preparation time during the pandemic.

**12. Do the districts need to provide the additional 30 minutes of preparation time if they are using a third-party vendor to provide distance learning?**

No, this does not apply to contracted services staff who are not district employees.

**13. Is it possible the additional teacher preparation time would result in a student with a disability receiving less instructional time than is dictated in their IEP? If so, would we need to revise the student's IEP?**

Paragraph five of Executive Order 20-94 asks districts to prioritize in person services for students receiving special education services. Reducing instructional time for these students should be the last resort. All avenues should be exhausted to both protect and improve the instructional time students are receiving in the unprecedented time of teaching amidst a global pandemic.

Per MDE's guidance document, [2020-21 Planning Guidance: Special Education Due Process](#), question two, direct and indirect special education service minutes can be provided in myriad ways.

**14. What does this guidance mean for charter schools, since they are not subject to Minnesota Statutes Section 122A.50 are not required to have collective bargaining agreements?**

Charter schools that do not have a collective bargaining agreement must add 30 minutes per day to the teacher preparation time in the school's existing teacher preparation time.

**15. Do state approved online programs need to comply with the additional preparation time requirement?**

No. Distance and online learning is their normal practice.

**16. [ADDED 03/04/21]: If a teacher is teaching all of their students in-person, are they still entitled to the additional preparation time under Executive Order 20-94?**

No. The intent of the additional preparation time was to give teacher more time to complete the additional work that comes with hybrid and distance learning. Teachers who are teaching all of their students in person and are not teaching any students through a hybrid or distance learning model.

**17. [ADDED 03/04/21]: If a teacher is teaching the majority of their students in-person but is also teaching some students via distance learning, is the teacher entitled to the additional preparation time under Executive Order 20-94?**

It depends whether the distance learners are receiving instruction through synchronous instruction, asynchronous instruction, or a combination of the two. A teacher is not entitled to the additional preparation time if the distance learners are receiving all of their instruction synchronously (i.e. via a live stream of the classroom) and the teacher is not creating any additional activities, modules, or other work for the distance learners to complete asynchronously. A teacher is entitled to the additional preparation time if the teacher is expected to create activities, modules, or other work specifically for the distance learners to complete asynchronously during the school day.